

~~331 CMR 4.00:—FIXING MINIMUM PRICES PAID TO MILK PRODUCERS~~

~~Section~~

~~4.01: Milk Marketing Area No. 1~~

~~4.02: Milk Marketing Area No. 2~~

~~4.03: Milk Marketing Area No. 3~~

~~4.01: Milk Marketing Area No. 1~~

~~The handling of milk for distribution in the area described below, shall be subject to 331 CMR 4.00.~~

~~(1) Each milk dealer who receives from producers milk which is sold, distributed, used or disposed of by him in Milk Marketing Area No. 1 (or at any place in the geographical area within the outer, outside or external boundaries of said milk marketing area, whether such place is a part of said milk marketing area or not) as Class I milk, as such milk is from time to time defined in 331 CMR 8.03 as amended, or by corresponding provisions of any preceding or succeeding order of the Commission from time to time currently applicable, shall account and pay to producers therefore for each 100 pounds of milk containing 3.5% butterfat delivered f.o.b. such milk dealer's plant in accordance with the terms, conditions and regulations set forth in 331 CMR 8.00 or in said applicable preceding or succeeding order, a price not less than the average price per hundred weight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the U.S. Department of Agriculture for the second preceding month, adjusted on a 3.5% butterfat basis, plus \$2.52 to arrive at a basic Class I price, plus a plant location adjustment based upon the zone location of plants as printed in the Federal Register, Vol. 43, No. 208, October 26, 1978, Department of Agriculture, Agricultural Marketing Service (Milk Order No. 1, Docket No. AO 14 A57) Part 1001 Milk in the New England Marketing Area, and as described, with exceptions, in Section 1001.52 of said Federal Milk Order No. 1, Amdt. No. 2, effective December 1, 1978, as follows: Section 1001.52 Plant Location Adjustments. The Class I price shall be subject to plant location adjustments based upon the zone locations of plants. The zone location of any plant and the location adjustments applicable to each zone location shall be determined as specified in 331 CMR 4.00.~~

~~(2) Each plant that is located in the Massachusetts county of Berkshire shall be in zone 14.~~

~~(3) The Director of Milk Control shall publicly announce the prices applicable hereunder by the fifth day of each month to be effective on the first day of the month next following.~~

~~(4) If any milk dealer receives from any producer milk having an average butterfat content other than 3.5% he shall pay to such producer for each 1/10 of 1% of average butterfat content above 3.5% or may deduct for each 1/10 of 1% of average butterfat content below 3.5% the butterfat differential determined in accordance with 331 CMR 8.08(5) or corresponding provisions of said applicable preceding or succeeding order.~~

~~(5) Milk Marketing Area No. 1 as used herein, means the cities and towns from time to time designated a natural Milk Marketing Area No. 1 by 331 CMR 2.01, effective May 31, 1979, or by subsequent order hereafter adopted in amendment of or substitution therefor.~~

~~4.02: Milk Marketing Area No. 2~~

~~The handling of milk for distribution in the area described below shall be subject to 331 CMR 4.00:~~

4.02continued

(1) ~~Each milk dealer who receives from producers milk which is sold, distributed, used or disposed of by him in Milk Marketing No. 2 (or at any place in the geographical area within the outer, outside or external boundaries of said milk marketing area, whether such place is a part of said milk marketing area or not) as Class I milk, as such milk is from time to time defined in 331 CMR 8.03 as amended, or by corresponding provisions of any preceding or succeeding order of the Commission from time to time currently applicable, shall account and pay to producers therefor for each 100 pounds of milk containing 3.5% butterfat, delivered f.o.b. such milk dealer's plant in accordance with the terms, conditions and regulations set forth in 331 CMR 8.00 or in said applicable preceding or succeeding order, a price not less than the average price per hundred weight for manufacturing grade milk, f.o.b. plants at Wisconsin and Minnesota, as reported by the U. S. Department of Agriculture for the second preceding month, adjusted on a 3.5% butterfat basis, plus \$2.52 to arrive at a basic Class I price, plus a plant location adjustment based upon the zone location of plants as printed in the Federal Register, Vol. 43, No. 208, October 26, 1978, Department of Agriculture, Agricultural Marketing Service (Milk Order No. 1, Docket No. AO-14-A57) Part 1001 Milk in the New England Marketing Area, and as described, with exceptions, in Section 1001.52 of said Federal Milk Order No. 1, Amdt. No. 2, effective December 1, 1978, as follows: Section 1001.52 Plant Location Adjustments. The Class I price shall be subject to plant location adjustments based upon the zone locations of plants. The zone location of any plant and the location adjustments applicable to each zone location shall be determined as specified in 331 CMR 4.02.~~

(2) ~~Each plant that is located in Massachusetts controlled sections of Worcester, Hampden, Hampshire and Franklin Counties shall be in Zone 7.~~

(3) ~~The Director of Milk Control shall publicly announce the prices applicable hereunder by the fifth day of each month to be effective on the first day of the month next following.~~

(4) ~~If any milk dealer receives from any producer milk having an average butterfat content other than 3.5% he shall pay to such producer for each 1/10 of 1% of average butterfat content above 3.5% or may deduct for each 1/10 of 1% of average butterfat content below 3.5% the butterfat differential determined in accordance with 331 CMR 8.08(5) or corresponding provisions of said applicable preceding or succeeding order.~~

(5) ~~Milk Marketing Area No. 2, as used herein, means the towns from time to time designated a natural milk marketing area as Milk Marketing Area No. 2 by 331 CMR 2.02, effective May 31, 1979, or by subsequent order hereafter adopted in amendment of or substitution therefor.~~

4.03: Milk Marketing Area No. 3

The handling of milk for distribution in the area described below shall be subject to 331 CMR 4.00.

(6) ~~Each milk dealer who receives from producers milk which is sold, distributed, used or disposed of by him in Milk Marketing Area No. 3 (or at any place in the geographical area within the outer, outside or external boundaries of said milk marketing area, whether such place is a part of said milk marketing area or not) as Class I milk, as such milk is from time to time defined in 331 CMR 8.03 as amended, or by corresponding provisions of any preceding or succeeding order of the Commission from time to time currently applicable, shall account and pay to producers therefor for each 100 pounds of milk containing 3.5% butterfat delivered f.o.b. such milk dealer's plant in accordance with the terms, conditions and regulations set forth in 331 CMR 8.00 or in said applicable preceding or succeeding order, a price not less than the average price per hundred weight for manufacturing grade milk, f.o.b. plants at Wisconsin and Minnesota, as reported by the U. S. Department of Agriculture for the second preceding month, adjusted on a 3.5% butterfat basis, plus \$2.52 to arrive at a basic Class I price, plus a plant location adjustment based upon the zone location of plants as printed in the Federal Register, Vol. 43, No. 208, October 26, 1978, Department of Agriculture, Agricultural Marketing Service (Milk Order No. 1, Docket No. AO-14-A57) Part 1001 Milk in the New England Marketing Area, and as described, with exceptions, in Section~~

~~4.03: continued~~

~~1001.52 of said Federal Milk Order No. 1, Amdt. No. 2, effective December 1, 1978, as follows:
Section 1001.52 Plant Location Adjustments. The Class I price shall be subject to plant location
adjustments based upon the zone locations of plants. The zone location of any plant and the location
adjustments applicable to each zone location shall be determined as specified in 331 CMR 4.03.~~

~~(7) Each plant is located in the Massachusetts counties of Barnstable, Bristol, Dukes, Nantucket,
Norfolk, Plymouth or Suffolk, or between Boston and Massachusetts highway route number 128 shall
be in Zone 1.~~

~~(8) The Director of Milk Control shall publicly announce the prices applicable hereunder by the fifth
day of each month to be effective on the first day of the month next following.~~

~~(9) If any milk dealer receives from any producer milk having an average butterfat content other than
3.5% he shall pay to such producer for each 1/10 of 1% of average butterfat content above 3.5% or
may deduct for each 1/10 of 1% of average butterfat content below 3.5% the butterfat differential
determined in accordance with 331 CMR 8.08(5) or corresponding provisions of said applicable
preceding or succeeding order.~~

~~(10) Milk Marketing Area No. 3 as used herein, means the cities and towns from time to time
designated a natural Milk Marketing Area No. 3 by 331 CMR 2.03, effective May 31, 1979, or by
subsequent order hereafter adopted in amendment of or substitution therefor.~~

~~REGULATORY AUTHORITY~~

~~331 CMR 4.00: M.G.L. c. 20, § 9; c. 94A; Federal Register, Vol. 43, No. 208, Oct 26, 1978.~~

~~NON-TEXT PAGE~~

